

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY and STATE
FARM FIRE AND CASUALTY
COMPANY,

Plaintiffs,

v.

PETER J. HANSON, P.C. d/b/a HANSON
CHIROPRACTIC and PETER J. HANSON,

Defendants.

Case No. C16-1085RSL

ORDER REGARDING FEES

This matter initially came before the Court on plaintiffs' motion to compel better answers to plaintiffs' requests for admission. Dkt. # 29. Pursuant to this Court's order awarding fees and costs incurred in filing that motion under Fed. R. Civ. P. 37(a)(5)(A), Dkt. # 37, plaintiffs submitted declarations setting forth the expenses incurred in making their motion to compel, Dkt. ## 39, 40, 41. Having reviewed plaintiffs' submissions and the remainder of the record, the Court finds as follows.


Plaintiffs seek attorney's fees in the amount of \$21,067.65, comprising \$3,378 for local counsel (3.2 hours at a rate of \$375 per hour, plus 8.8 hours at a rate of \$247.50 per hour), Dkt. # 40, and \$17,689.65 for plaintiffs' out-of-state counsel (31.1 hours at a rate of \$240 per hour; 15.6 hours at a rate of \$340 per hour; 13.4 hours at a rate of \$355.50 per hour; and 0.9 hours at a rate of \$175.50 per hour), Dkt. # 41.

1 The fee applicant bears the burden of demonstrating the reasonableness of the fees
2 requested. Here, plaintiffs' counsel have not provided timekeeper entries detailing the tasks they
3 performed during the hours listed for two general projects: "Preparation and Filing of Motion to
4 Compel" and "Preparation and Filing of Reply in Support of Motion to Compel." See Dkt.
5 ## 40, 41. Counsel explains that they have omitted more detailed timekeeper entries in order to
6 avoid waiving attorney-client privilege.

7 Absent an explanation of how counsel spent 73 total hours on two discovery filings,
8 however, the Court concludes that plaintiffs have not demonstrated the reasonableness of a fee
9 award surpassing \$20,000. See Aecon Bldgs., Inc. v. Zurich North America, No. C07-832MJP,
10 2008 WL 4443285, at *1 (W.D. Wash. Sept. 25, 2008) (noting that 19.3 hours was a reasonable
11 amount of time to spend on a complex motion for sanctions). The Court will not award fees
12 until plaintiffs' counsel has provided a more specific accounting of their time. Counsel can,
13 without breaching attorney-client privilege, break down their hours billed into entries that
14 explain generally what type of work was performed without referring to the specific content of
15 that work.

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17 Plaintiffs shall, within one week of the date of this order, file an amended statement of
18 reasonable expenses that more specifically details the work performed on the motion to compel.

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20 SO ORDERED this 22nd day of March, 2017.

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23 Robert S. Lasnik
24 United States District Judge
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